



Docket No. 1001.1020  
PATENT

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#30  
7/26/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John H. VRZALIK

Serial No.: 08/904,121

Filed: July 31, 1997

Title: BARIATRIC BED APPARATUS AND  
METHODS

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§ Group Art Unit: 3508  
§  
§ Examiner: PHAM, T.  
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§  
§

POWER OF AGENT AND INTERVENTION OF ASSIGNEE

Assistant Comm'r for Patents  
Washington, D.C. 20231

Sir:

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The undersigned, being the Assignee of the entire right, title and interest in the above-captioned patent application, hereby elects, under 37 CFR §3.71, to prosecute this patent application to the exclusion of the inventors. In accordance with the provisions of 37 CFR §3.73(b), a certificate in evidence of the undersigned Assignee's title is submitted herewith. A power of agent and designation of correspondence address follows.

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR §1.10)

"Express Mail" Mailing Label No: EL295473732US

Date of Deposit: April 22, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, under 37 CFR §1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

04/22/99  
Date:

Brian Goode  
Signature of Person Mailing

Brian Goode  
Printed Name of Person Mailing

### POWER OF AGENT

The Assignee hereby revokes any previous power of attorney or agent and hereby appoints Wayne J. Colton, Registration No. 40,962 as principle agent of record and William H. Quirk, IV, Registration No. 33,996 as principle attorney of record, jointly and severally, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments thereto, and to transact all business in the Patent and Trademark Office.

### DOCKET NUMBER AND ADDRESS FOR CORRESPONDENCE

Please update the docket number for the above-captioned application to 1001.1020 and direct all future correspondence and communications relevant the same to:

Wayne J. Colton  
WAYNE J. COLTON, INC.  
The Milam Building Suite 1108  
115 East Travis Street  
San Antonio, Texas 78205  
Telephone: 210 222 8455  
Telecopier: 210 222 8445

Respectfully submitted,

KINETIC CONCEPTS, INC.

Date:

April 22, 1999

By:

John H. Vrzalik  
John H. Vrzalik  
Vice President



Docket No. 1001.1020  
PATENT

CERTIFICATE UNDER 37 CFR §3.73(b)

Assignee(s): KINETIC CONCEPTS, INC. (A Texas corporation with principle place of business in San Antonio, Texas.)

The above-identified individual(s), or other legal entity or entities, hereby certifies that, to the best of his, her or its knowledge and belief, he, she or it is the Assignee of the entire right, title and interest in the following identified patent or patent application:

- ☐ U.S. patent No.: \*\*\*
- ☒ U.S. patent application:
  - ☒ Serial No.: 08/904,121
  - ☐ Title: \*\*\*; Filing Date: \*\*\*; Inventor(s): \*\*\*

by virtue of:

- ☐ an assignment from the inventor(s), or previous assignee(s) in full, of the above-identified patent or patent application,
  - ☐ recorded in the U.S. Patent and Trademark Office at Reel \*\*\*, Frame(s) \*\*\*.
  - ☐ a copy of which is attached.

- ☒ an assignment from the inventor(s), or previous assignee(s) in full, of the following identified patent or patent application, of which the above-identified patent or patent application is a divisional, continuation or continuation-in-part:

- ☐ U.S. patent No.: \*\*\*.
- ☒ U.S. patent application:
  - ☒ Serial No.: 08/382,150.
  - ☐ Title: \*\*\*; Filing Date: \*\*\*; Inventor(s): \*\*\*.

- ☐ recorded in the U.S. Patent and Trademark Office at Reel \*\*\*, Frame(s) \*\*\*.
- ☒ a copy of which is attached.

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR §1.10)

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04/22/99  
Date:

Signature of Person Mailing

Brian Goode  
Printed Name of Person Mailing

( ) a chain of title from the inventor(s), or previous assignee(s) in full, of the above-identified patent or patent application to the current assignee as shown below:

(1) From: \*\*\*  
To: \*\*\*

- ( ) Document recorded in the U.S. Patent and Trademark Office at Reel \*\*\*,  
Frame(s) \*\*\*.  
( ) Document attached hereto.

(2) From: \*\*\*  
To: \*\*\*

- ( ) Document recorded in the U.S. Patent and Trademark Office at Reel \*\*\*,  
Frame(s) \*\*\*.  
( ) Document attached hereto.

(3) From: \*\*\*  
To: \*\*\*

- ( ) Document recorded in the U.S. Patent and Trademark Office at Reel \*\*\*,  
Frame(s) \*\*\*.  
( ) Document attached hereto.

- ( ) Additional document(s) in the chain of title are listed on a supplemental sheet.  
( ) Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all of the documents in the above-recited chain of title for the above-identified patent or patent application and, to the best of the undersigned's knowledge, title rests in the above-identified Assignee.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the Assignee.

I hereby declare that all statements herein made of my own knowledge are true and that all statements made on information and belief are believed to be true; that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001; and that any such willful false statement so made may jeopardize the validity of the above-identified patent or patent application or any patent issued thereon.

Name: John H. Vrzalik

Title: Vice President

John H. Vrzalik  
Signature

April 23, 1999  
Date

ASSIGNMENT

COPY

WHEREAS, I, John H. VRZALIK, a citizen of the United States residing at 4444 Lane Drive, San Antonio, Texas, 78263, (hereinafter referred to as the "Assignor") am the/an original, sole/joint inventor of a certain new and improved BARIATRIC BED APPARATUS AND METHODS for which I have on January 31, 1995 executed application for Letters Patent of the United States Serial No. 08/382,150 filed January 31, 1995; and

WHEREAS, KINETIC CONCEPTS, INC., a corporation organized under the laws of the State of Texas, whose address is 8023 Vantage Drive, San Antonio, Texas, 78230, (hereinafter referred to as the "Assignee") is desirous of obtaining entire right, title and interest in, to and under the said improvements and the said application;

NOW, THEREFORE, in consideration of the sum of One Dollar, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said Assignor, have sold, assigned, transferred and set over and, by these presents, do hereby sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives and assigns my entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all renewals and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Assignee, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

Not Up

AND, I hereby covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

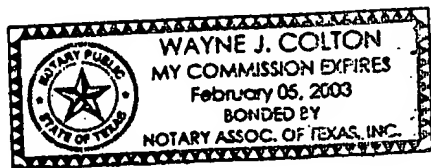
AND, I hereby further covenant that I will communicate to the said Assignee, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and generally do everything possible to aid said Assignee, its successors, legal representatives and assigns, to obtain and enforce proper patent and similar protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I have set my hand and seal this 22 day of April, 1999.

John H. Vrzalik  
Assignor

STATE OF TEXAS       §  
                                  §  
COUNTY OF BEXAR    §

On this 22 day of April, 1999, before me, a Notary Public in and for the State and County aforesaid, personally appeared John H. VRZALIK to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



[Signature]  
Notary Public  
02/05/03  
Commission Expires